

Message Text

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ACTION EUR-12

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C O N F I D E N T I A L SECTION 1 OF 2 USNATO 3840

E.O. 11652: GDS

TAGS: MARR, MPOL, NATO

SUBJ: SACEUR'S REVISED TERMS OF REFERENCE

REF: A. JCS DTG 241344Z APR 75

B. USNATO 5899

C. USNATO 3664 NOTAL

D. STATE 205986 (1974)

BEGIN SUMMARY. THE MILITARY COMMITTEE HAS SENT TO THE DPC FOR APPROVAL REVISED TERMS OF REFERENCE (TOR) FOR SACEUR AND A MORE DEFINITIVE CATEGORIZATION OF NATO FORCES. IN PREPARATION FOR DPC CONSIDERATION OF THESE DOCUMENTS, ASYG HUMPHREYS HAS PREPARED A DRAFT REPEAT DRAFT PO (PROVIDED TO US BY HIM ON A PERSONAL BASIS) WHICH NOTES THAT THE REVISED TOR FOR SACEUR (1) ARE NOT CONSISTENT WITH THE AGREEMENTS REACHED AT THE 1954 LONDON CONFERENCE AND (2) WEAKEN SACEUR'S AUTHORITY TO MAKE FIELD INSPECTIONS AND TO INSPECT TRAINING OF NATO FORCES. WE HAVE REVIEWED THE RELEVANT DOCUMENTS AND THE ONLY SIGNIFICANT DEVIATION FROM PREVIOUS AGREEMENTS IN SACEUR'S REVISED TOR IS THE REQUIREMENT FOR CONFIDENTIAL

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SACEUR TO CONSULT WITH NATIONS BEFORE CONDUCTING FIELD OR TRAINING INSPECTIONS. THE REQUIREMENT TO CONSULT WITH NATIONS COULD PROBABLY BE INTERPRETED BY ALLIES IN DIFFERENT WAYS AND MIGHT WELL LEAD TO EROSION OF SACEUR'S AUTHORITY.

ASYG HUMPHREYS HAS UNOFFICIALLY REQUESTED INFORMAL COMMENTS ON SACEUR'S REVISED TOR BY THE END OF AUGUST. ACTION REQUESTED BY AUGUST 25: WASHINGTON VIEWS OR COMMENTS ON QUESTIONS CONTAINED IN PARA 5 BELOW. END SUMMARY.

1. IN 1971, THE DPC DIRECTED THE MILITARY COMMITTEE TO REVISE THE TERMS OF REFERENCE (TOR) FOR SACEUR AND SACLAN IN VIEW OF DE FACTO CHANGES WHICH HAD TAKEN PLACE SINCE THE ORIGINAL TOR WERE ISSUED IN 1955 AND 1975 (PO/71/379). THE DPC STIPULATED, HOWEVER, THAT THE REVISED TOR FOR SACEUR SHOULD BE CONSISTENT WITH SECTION IV OF THE FINAL ACT OF THE LONDON CONFERENCE (C-M(58)85(FINAL)) WHICH FORMS PART OF THE PARIS AGREEMENTS.

2. IN A RELATED ACTION, THE DPC ALSO DIRECTED THE MILITARY COMMITTEE TO CLARIFY THE DEFINITIONS OF NATO FORCES IN CONJUNCTION WITH THE REVISION OF SACEUR'S AND SACLAN'S TOR (PO/70/472). DURING THE PAST SEVERAL YEARS, ALLIES HAVE BEEN TRANSFERRING MAJOR PORTIONS OF THEIR COMMITTEE FORCES FROM "ASSIGNED" TO "EARMARKED" CATEGORY BECAUSE (A) SACEUR DOES NOT HAVE AUTHORITY FOR HIGHER TRAINING OF EARMARKED FORCES, AND (B) THE CURRENT DEFINITIONS FOR ASSIGNED AND EARMARKED FORCES ARE AMBIGUOUS AND ERRONEOUSLY IMPLY TOTAL MNC OPERATIONAL COMMAND AND CONTROL FOR ASSIGNED FORCES. THE PURPOSE OF REVISING THE DEFINITIONS OF THE CATEGORIES OF NATO FORCES WAS TO CORRECT THIS PROBLEM.

3. THE MILITARY COMMITTEE HAS NOW COMPLETED ITS REVISION OF SACEUR'S TOR (MC 53/1) AND SACLAN'S TOR (MC 58/1) AND DEVELOPED A MORE DEFINITIVE CATEGORIZATION OF NATO FORCES (MCM-37-75). SINCE THESE DOCUMENTS ARE INTERRELATED, THEY WILL BE CONSIDERED BY THE DPC UNDER ONE AGENDA ITEM.

4. IN PREPARATION FOR DPC CONSIDERATION OF THESE DOCUMENTS, ASYG HUMPHREYS HAS PREPARED A DRAFT REPEAT DRAFT PO (SENT TO WASHINGTON SPETEL) RECOMMENDING DPC APPROVAL OF THE NEW DEFINITIONS FOR THE VARIOUS CATEGORIES OF NATO FORCES AND SACLAN'S CONFIDENTIAL

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REVISED TOR. IN THE DRAFT PO, THE DPC IS ASKED TO NOTE THAT THE REVISED TOR FOR SACEUR (A) WEAKEN SACEUR'S AUTHORITY TO MAKE FIELD INSPECTIONS AND TO INSPECT TRAINING OF NATO ASSIGNED OR EARMARKED FORCES, AND (B) ARE NOT CONSISTENT WITH THE AGREEMENTS REACHED AT THE LONDON CONFERENCE AND CONSEQUENTLY MAY ESTABLISH A PRECEDENT FOR FURTHER DEVIATIONS FROM THESE AGREEMENTS.

5. BEFORE CIRCULATING AN OFFICIAL PO, ASYG HUMPHREYS HAS ASKED DELEGATIONS TO SOUND OUT CAPITALS ON THE FOLLOWING:
A. WHETHER THE CHANGES PROPOSED BY THE MILITARY COMMITTEE ARE OF A MINOR NATURE AND THEREFORE NOT OF SUFFICIENT IMPORTANCE TO WARRANT CHANGING THE TREATY DOCUMENTS, OR WHETHER SUB-

STANTIVE ISSUES ARE INVOLVED.

B. WHETHER IT IS APPROPRIATE AT THIS TIME TO WEAKEN IN ANY WAY THE AUTHORITY OF MAJOR NATO COMMANDERS.

C. WHETHER IT IS JUSTIFIABLE TO ESTABLISH A PRECEDENT FOR ALTERING THE PARIS AGREEMENTS OTHER THAN TO THE EXTENT NECESSARY TO TAKE COGNIZANCE OF DE FACTO CHANGES WHICH HAVE TAKEN PLACE SINCE THE AGREEMENTS WERE SIGNED.

6. WE HAVE REVIEWED THE RELEVANT DOCUMENTS AND THE ONLY SIGNIFICANT DEVIATION FROM PREVIOUS AGREEMENTS (LONDON CONFERENCE) IN SACEUR'S REVISED TOR IS THE REQUIREMENT FOR SACEUR TO CONSULT WITH NATIONS BEFORE CONDUCTING FIELD OR TRAINING INSPECTIONS. THIS REQUIREMENT STEMS FROM A US PROPOSAL TO THE MILITARY COMMITTEE (REF A) IN ORDER TO PREVENT "REPETITIVE AND REDUNDANT EVALUATIONS OF US ROTATIONAL AND DUAL BASED FORCES" VIA SACEUR'S NO-NOTICE INSPECTION AUTHORITY.

7. TO ASSIST WASHINGTON'S EVALUATION OF THE PROPOSED CHANGE IN SACEUR'S INSPECTION AUTHORITY, EXTRACTS FROM THE 1954 LONDON CONFERENCE (C-M(58)85(FINAL)), SACEUR'S CURRENT TOR, AND REVISED TOR FOLLOW:

A. LONDON CONFERENCE, SECTION IV, PARAGRAPH 13 (C-M(58)85(FINAL)):

"CONFIRMS THAT THE POWERS EXERCISED BY THE SUPREME ALLIED COMMANDER EUROPE IN PEACETIME EXTENDED NOT ONLY TO THE ORGANIZATION INTO AN EFFECTIVE INTEGRATED FORCE OF THE FORCES PLACED UNDER HIM BUT ALSO TO THEIR TRAINING; THAT IN THIS FIELD, THE
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SUPREME ALLIED COMMANDER EUROPE HAS DIRECT CONTROL OVER THE HIGHER TRAINING OF ALL NATIONAL FORCES ASSIGNED TO HIS COMMAND IN PEACETIME; AND THAT HE SHOULD RECEIVE FACILITIES FROM MEMBER NATIONS TO INSPECT THE TRAINING OF THOSE CADRE AND OTHER FORCES WITHIN THE AREA OF ALLIED COMMAND EUROPE EARMARKED FOR THAT COMMAND."

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INFO OCT-01 ISO-00 CIAE-00 PM-03 INR-07 L-03 ACDA-05

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B. SACEUR'S CURRENT TOR, PARAGRAPH 13 OF MC/53 FINAL:

"H. AUTHORITY TO MAKE FIELD INSPECTIONS, AS NECESSARY, WITHIN THE AREA OF ALLIED COMMAND EUROPE OF THE FORCES, INCLUDING RESERVE FORMATIONS, PLACED UNDER HIM, AND OF THOSE PORTIONS OF LOGISTIC SUPPORT SYSTEMS MADE AVAILABLE TO HIM BY APPROPRIATE AUTHORITIES.

I. DIRECT CONTROL OVER THE HIGHER TRAINING OF ALL FORCES ASSIGNED TO HIS COMMAND IN PEACETIME AND THE INSPECTION OF TRAINING OF ALL FORCES ASSIGNED TO HIS COMMAND. FURTHERMORE, HE SHOULD BE GIVEN FACILITIES BY NATIONS TO INSPECT THE TRAINING OF THOSE CADRE AND OTHER FORCES WITHIN THE AREA OF ALLIED COMMAND EUROPE EARMARKED FOR HIS COMMAND."

C. SACEUR'S REVISED TOR, PARAGRAPH 13 OF MC 53/1 (NOTE: SACUER'S REVISED TOR INCORPORATE THE REVISED DEFINITIONS OF NATO FORCES):

"H. AUTHORITY TO MAKE FIELD INSPECTIONS IN ACCORDANCE WITH NATO CURRENT PROCEDURES AND AS PRESCRIBED IN SPECIAL AGREEMENTS, WITHIN THE AREA OF ACE OF NATO COMMAND FORCES AND, CONFIDENTIAL

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IN CONSULTATION WITH THE NATIONS CONCERNED, OF NATO ASSIGNED AND NATO EARMARKED FORCES AND SUCH OTHER FORCES AND LOGISTIC SUPPORT SYSTEMS AS MAY BE MADE AVAILABLE TO HIM.

I. IN THE OPERATIONAL TRAINING OF ALL NATO FORCES UNDER COMMAND OF ACE, THE DIRECT CONTROL OF THAT PORTION OF SUCH TRAINING DESIGNED TO DEVELOP AN EFFICIENT INTEGRATED NATO FORCE. FURTHERMORE, HE SHOULD IN CONSULTATION WITH NATIONS BE GIVEN FACILITIES TO INSPECT THE TRAINING OF ASSIGNED FORCES AND OF THOSE CADRE AND OTHER FORCES WITHIN THE AREA OF ACE WHICH ARE EARMARKED FOR ASSIGNMENT TO ACE."

8. THE REVISED TOR CHANGE SACEUR'S AUTHORITY SINCE THEY REQUIRE THAT HE CONSULT WITH NATIONS BEFORE CONDUCTING FIELD OR TRAINING INSPECTIONS OF NATO ASSIGNED AND EARMARKED FOR ASSIGNMENT FORCES (USING THE NEW DEFINITIONS OF NATO FORCES). THE REQUIREMENT TO CONSULT WILL PROBABLY BE INTERPRETED BY ALLIES IN DIFFERENT WAYS AND COULD LEAD TO THE EROSION OF SACEUR'S AUTHORITY IN THE AREA OF INSPECTIONS.

9. ASYG HUMPHREYS HAS REQUESTED INFORMAL REPEAT INFORMAL
COMMENTS ON SACEUR'S REVISED TOR BY THE END OF AUGUST.

ACTION REQUESTED BY AUGUST 25: WASHINGTON VIEWS AND COMMENTS
ON QUESTIONS CONTAINED IN PARA 5 ABOVE.BRUCE

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